

VIA ECF ONLY:

The Honorable Elizabeth A. Pascal
U.S. Magistrate Judge for the District of New
Jersey
Mitchell H. Cohen Building & U.S. Courthouse
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Re: *Copeland v. Poliquin Performance Center 2, LLC, et. al.*
Case #: 1-19-cv-20278-ESK-EAP (District of New Jersey)

Dear Judge Pascal:

Plaintiff submits this update to inform the Court of the current status of mediation efforts in this matter.

The parties have been engaged in mediation for an extended period with slower-than-anticipated progress, though two significant developments have recently advanced the discussions.

First, a related insurance coverage dispute involving one defendant that was being litigated in New York has now progressed to a point where the insurer is willing to participate in mediation, which should facilitate more productive discussions.

Second, Defendant Caroleen Kandel has filed for bankruptcy protection, though this has had minimal impact on the mediation given that defendant's limited involvement in the process.

While the parties have not yet achieved substantial progress toward resolution, we remain cautiously optimistic about meaningful advancement in the near future. Nevertheless, given the time elapsed and limited progress to date, Plaintiff believes it prudent to consider resuming litigation on an expedited track if mediation proves unsuccessful.

We will continue to engage in good faith in the ongoing mediation and will keep the Court informed of any material developments.

Respectfully submitted,

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By: /s/ Emily K. Declercq
Emily K. Declercq
Attorneys for Plaintiff

cc: All counsel of record